

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

NOBLE BLACKERBY,)	
)	
Plaintiff,)	
)	
v.)	CV 307-041
)	
BILLY BROWN, Warden, Dodge State)	
Prison, et al.,)	
)	
Defendants.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections (doc. no. 11) have been filed.

On November 20, 2007, the Magistrate Judge recommended that Defendants FNU Faqua and FNU Cason be dismissed, that Plaintiff's failure to protect and *respondeat superior* claims be dismissed, that Plaintiff's potential state law claims be dismissed without prejudice, and that the above-captioned case be closed. (Doc. no. 9). Plaintiff's objections address, *inter alia*, the portion of the Report and Recommendation that recommended dismissal of his failure to protect, *respondeat superior*, and state law claims. (Doc. no. 11,

p. 3-9). Although Plaintiff has gone to great lengths to allege facts that he believes support his claims against Defendant Brown and Deputy Warden Dave McNeil,¹ nothing in his objections changes the analysis set forth in the Report and Recommendation.

Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Defendants FNU Fuqua and FNU Cason are **DISMISSED** from the above-captioned case, Plaintiff's failure to protect and *respondeat superior* claims are **DISMISSED**, Plaintiff's potential state law claims are **DISMISSED** without prejudice, and this civil action is **CLOSED**.

SO ORDERED this 30 day of January, 2008, at Augusta, Georgia.


HONORABLE LISA GODBEY WOOD
UNITED STATES DISTRICT JUDGE

¹The Court notes that Plaintiff did not name Deputy Warden Dave McNeil in either the caption or in the enumerated list of Defendants contained in his original or amended complaints. (Doc. no. 1, pp. 1 & 2; doc. no. 8, pp. 1 & 4). Indeed, in the portion of the amended complaint designated for the listing of additional defendants, Plaintiff simply wrote "N/A." (Doc. no. 8, p. 4).